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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Promotion and protection of the rights of children

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Letter dated 25 July 2011 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In accordance with instructions received from the Government of the Republic of Azerbaijan, I have the honour to inform you that on 14 July 2011, as a result of the blast of an explosive device built in a toy, a 13-year-old Azerbaijani girl, Aygun Shahmaliyeva, was killed and her 32-year-old mother, Elnara Shahmaliyeva, was seriously wounded. This terrible accident took place in the Alibayli village of the Tovuz district of Azerbaijan, bordering with the Republic of Armenia.

The toy stuffed with an explosive device was found by the victim in the Tovuz River, springing from the territory of Armenia and flowing through the village of Alibayli. According to the conclusions of the preliminary investigation, the booby trap toy was made in Armenia, was dropped to the river intentionally, and its target were children of the neighbouring Azerbaijani settlements.

As I informed you earlier, in spite of a formal ceasefire, deliberate attacks by the armed forces of Armenia against Azerbaijani civilians and civilian objects, in contravention of applicable international law, have become more frequent and violent over recent months, resulting in the killing and maiming of many inhabitants residing near the front line (A/65/780-S/2011/132, A/65/821-S/2011/251, A/65/872-S/2011/379). Thus, on 8 March 2011, a nine-year-old Azerbaijani child was shot dead by an Armenian sniper. On 26 May 2011, the civilian population of the Chiragli village of the Agdam district of Azerbaijan was subjected to continuous fire

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by the armed forces of Armenia. On 3 June 2011, a resident of the Aghjabadi district of Azerbaijan was killed by Armenian militaries in the Chemenli village of the Agdam district of Azerbaijan.

Attempts of the Republic of Armenia to deny its responsibility for these crimes are groundless and must be rejected from the outset.

The above-mentioned facts are not the only instances of deliberate attacks on Azerbaijani civilians committed by the Armenian armed forces, terrorist bands and mercenary units during the aggression of Armenia against Azerbaijan.

Thus, the forcible deportation of about 230,000 Azerbaijanis from their homes in Armenia at the end of the 1980s was accompanied by killings, torture, enforced disappearances and other crimes throughout Armenia, and even children were not spared.

Moreover, as a result of terrorist acts perpetrated by the Armenian terrorists on the territory of Azerbaijan since the late 1980s, targeting civilian objects, including industrial units and means of air, sea and land transport, over 2,000 citizens of Azerbaijan were killed, the majority of them children, women and the elderly.

At the end of 1991 and the beginning of 1992, Armenia initiated combat operations on the territory of Azerbaijan. That period and the following years until the establishment of the ceasefire in 1994 were marked by an increase in the magnitude, intensity and consistency of the attacks on Azerbaijani civilians. In February 1992, the town of Khojaly in the Daghlyq Garabagh (Nagorno Karabakh) region of Azerbaijan was notoriously overrun and its civilian population was subjected to an unprecedented massacre. The attack and capture of the town involved the extermination of hundreds of Azerbaijanis, including children, women and the elderly; thousands of civilians were wounded and taken hostage, many of whom remain missing, while the town was razed to the ground.

In its resolutions adopted in 1993 in response to the occupation of Azerbaijani territories, the Security Council referred specifically to violations of international humanitarian law, including attacks on civilians and bombardments of inhabited areas. The European Court of Human Rights later arrived at an important conclusion qualifying the offences of the invading Armenian military forces against Azerbaijani civilians as acts of particular gravity that could amount to war crimes or crimes against humanity.

The overall assessment of the causes and tragic consequences of the war unleashed by Armenia against Azerbaijan makes it clear that the recent attacks on Azerbaijani civilians, including the killing of children, were not isolated or sporadic acts, but were the illustrative evidence of Armenia's widespread and systematic policy and practice of atrocities.

The Republic of Azerbaijan strongly condemns the provocative actions of the Armenian side, which can in no way contribute to the establishment of confidence between the parties and to the resolution of their long-lasting conflict. By the intentional killing of Azerbaijani civilians, the Republic of Armenia has demonstrated once again its unwillingness to obey the generally accepted moral and ethical principles and to comply with the Charter of the United Nations and international law.

The Republic of Azerbaijan calls upon the States Members of the United Nations to convince the Republic of Armenia to put a prompt end to its policy of disregard and contempt for human dignity, rights and freedoms, including, inter alia, through measures aimed at ending impunity for egregious crimes committed by the Armenian side in the course of its aggression against Azerbaijan.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 39, 64, 66 and 75, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative